IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated: Nainital: the 18th day of January 2006
Crl. Bail Application No. 14 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Harish Singh S/o Shri Diwan Singh,
R/o Village Lingurta,
Tehsil and District Almora. **…Applicant**

Versus

State of Uttaranchal **..Opposite Party**

Arising out of Case Crime No. 03 of 2005
Under Sections: 302 of the I.P.C.
Police Station: Patwari Circle (Kshetra) Lingurta,
District: Almora.

Hon'ble J.C.S.Rawat, J.

Heard Mr. Vinod Sharma, learned counsel for the applicant and learned A.G.A. for the State.

No counter affidavit has been filed by the State. Perused the supplementary affidavit filed by the counsel of the applicant in which the statements of Kundan Singh, Rajendra Singh and Narayan Singh were annexed. All the witnesses have stated in their statements that the applicant was driver of the jeep and he triad to stop the jeep but the jeep could not be stopped and the deceased was crushed beneath it. It was contended that there was no intention on the part of the application to kill the deceased.

Considering the total facts and circumstances of the case, this Court is of the view that it is a fit case for bail. Let the applicant Harish Singh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate, Almora.

(J.C.S. Rawat, J.)

Dt. 18.01.2006
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